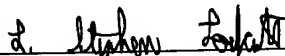


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:)	Docket No.:	4115-137 CIP
Applicant:)	Examiner:	Carla J. Myers
Application No.:)	Art Group:	1634
Date Filed:)	Confirmation	9125
)	No.	
Title:)	Customer No.	23448
ASSAY FOR PERKINSUS IN)		
SHELLFISH)		

EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and Express Mailed under the provisions of 37 CFR 1.10.



L. Stephen Lockett

October 2, 2003
Date

EV247333474US
Express Mail Label Number

DECLARATION OF DR. GERARDO R. VASTA IN UNITED STATES PATENT
APPLICATION NO. 09/771,935

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Gerardo R. Vasta, hereby declare:

1. THAT I am a named co-inventor of the invention that is described and claimed in U.S. Patent Application No. 09/771,935 filed in the United States Patent and Trademark Office on January 30, 2001 in the names of Gerardo R. Vasta, Adam G. Marsh, Jose A.

FROM :UMBI

Fernandez-Robledo, Cathleen A. Coss and Anita Wright for "ASSAY FOR *PERKINSUS* IN SHELLFISH" (the "Application").

2. THAT I am familiar with the Official Action and rejection from the U.S. Patent and Trademark Office dated May 30, 2003 in which claims 1-20 were rejected. Further I am familiar with the references cited by the Examiner including: 1) Robledo, JAM., C.A. Coss and GER. Vasta (2000) Characterization of the Ribosomal RNA Locus of *Perkins's atlantics* and Development of a Polymerase Chain Reaction-Based Diagnostic Assay. J. Parasitol. 86:972-978 (hereinafter Robledo 2); and 2) GenBank Accession No. AF140295/NCBI Database, April 17, 2000 (hereinafter Robledo 3).
3. THAT I, Jose A. Fernandez-Robledo and Cathleen A. Coss are co-inventors of the present application and also co-authors of the cited references, both of which describe our own work.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements, and the like, so made are punishable by fine or imprisonment, or both, under Section 1001 or Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


GERARDO R. VASTADATE 10/1/03